

this point, throughout her work history she had never drawn unemployment. Still, Cynthia perseveres. She continues her job search and she hopes something will open up for her soon. Our thoughts go out to Cynthia and to the millions of Americans who are struggling to survive in these difficult times.

It is time to finish the job of extending these desperately needed benefits to people like Cynthia Allen.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING SENATOR ROBERT C. BYRD

Mr. HATCH. Mr. President, I rise today to pay tribute to our dear departed friend and colleague, Senator Robert Byrd of West Virginia. I have been deeply moved by the words of remembrance we have heard here in the Senate this week and I am honored to have been here today as Senator Byrd has lied in repose on the Senate floor. It is a fitting tribute to the man who, over the course of an astounding tenure of 52 years, came to embody the Senate, its traditions, and its rules.

Robert Byrd was born in North Wilkesboro, NC, in 1917. He was valedictorian of Mark Twain High School and, through the course of his life, attended four separate colleges in West Virginia as well as the American University College of Law. In the early days of his career, he was, at one time or another, a grocery clerk, a butcher, and a shipyard welder before beginning his political career in 1946, when he was elected to the West Virginia House of Delegates. After 5 years in the West Virginia Legislature, he was elected to the House of Representatives in 1952, beginning what would be the longest tenure in the history of the U.S. Congress.

Senator Byrd came to the Senate in 1959. He served right up until his death on June 28 of this year. During his time on the Senate, he was known for his skills as a parliamentarian and his knowledge of Senate rules and procedure. He put these abilities to great use, serving in the Democratic leadership—as either the whip or the leader—for nearly two decades. Senator Byrd's

ability to use the parliamentary rules to his advantage is legendary. Indeed, I can think of few others who had such a great understanding of what can be an arduous and difficult set of rules and procedures.

His knowledge of the traditions and history of the Senate were also quite noteworthy. In 1989, the bicentennial anniversary of our cherished Constitution, Senator Byrd published a four-volume series on Senate history, which is a definitive work in describing and outlining the storied traditions of this great Chamber. Senator Byrd's love of this body was known to all. He expressed his love for the Senate at every opportunity and much of his time was spent trying to preserve those rules and traditions he held dear.

Mr. President, this Chamber has suffered a great loss. But, my sadness is tempered by the thought that Senator Byrd is now reunited with his wife Erma, to whom he was married for nearly 70 years. I want to express my sincerest condolences to Senator Byrd's family.

Mr. BUNNING. Mr. President, today I want to speak on the loss of the great statesman, orator, and author, Senator Robert Byrd. Senator Byrd served the State of West Virginia and this great Nation in the Senate for over 50 years. It has been an honor to serve and craft legislation with Senator Byrd to protect and promote the values of our two States, which share a common border and economy. He represented his State well.

Following my election to the Senate, Senator Byrd offered me valuable advice and direction on the operations and rules of the U.S. Senate. Upon learning of his passing, my wife Mary and I were deeply saddened by the news.

Starting from humble beginnings, Senator Byrd was a great example of the virtue of hard work and determination. After losing his mother during the influenza epidemic of 1918, Senator Byrd was sent to live with his aunt and uncle in the coal-mining region of southern West Virginia. With a combination of his strong work ethic and quest for knowledge, Senator Byrd graduated as valedictorian of his high school class. Despite his stellar academic achievements, Senator Byrd was unable to attend college following his high school commencement due to financial constraints.

At the age of 19, Senator Byrd married his high school sweetheart and lifetime soulmate Erma Ora James. In an effort to support his growing family, Senator Byrd took jobs, which included working as a gas station attendant and butcher, to put his family first.

After serving in the West Virginia House of Delegates and Senate, Senator Byrd was first elected to the U.S. House of Representatives and began serving in 1953. Unable to stop his quest for knowledge, Senator Byrd began attending night classes at the American University's Washington College of

Law where he received his degree a decade later.

Senator Byrd's love for this country and the Senate itself could be seen in many ways such as the copy of the U.S. Constitution tucked away in his jacket pocket and his vast knowledge of the rules of the Senate. As he said to many of us, "he who knows the rules will rule."

He believed, as I do, in the power of the Senate. He understood that the Senate should not be beholden to the executive branch, but must remain separate and equal to provide the necessary checks. As he stated, "We must never, ever, tear down the only wall—the necessary fence—this Nation has against the excesses of the Executive Branch and the resultant haste and tyranny of the majority."

Even in his frustration of the current political climate and through his remaining days, Senator Byrd continued to fight for the protection of the rules of the Senate and the rights of the minority, because as he wrote, "I know what it is to be Majority Leader, and wake up on a Wednesday morning in November, and find yourself a Minority Leader."

I extend my thoughts and prayers to his surviving children, grandchildren, and great-grandchildren. During this time of difficulty, there is strength in knowing Senator Byrd has once again been reunited with his sweetheart and the son he missed dearly.

#### CYPRUS

Mr. CARDIN. Mr. President, I rise today to draw the attention of my colleagues to the legacy of the July 20, 1974, invasion of Cyprus by Turkey and its ongoing occupation of that island nation. Thirty-six years later, the human dimension of the conflict and the artificial division of the country is evident in many areas. As Chairman of the Helsinki Commission, I am particularly mindful of the violations of human rights stemming from the occupation. I have walked along the U.N.-monitored buffer zone that cuts through the capital city of Nicosia. A visitor to Cyprus need not look far to discover the scars left by the artificial division of a capital and a country.

A year ago this week, the Helsinki Commission held a public briefing, "Cyprus' Religious Cultural Heritage in Peril," to draw attention to this aspect of the legacy of the events of 1974. Experts at that briefing documented the scope of the destruction of sites in the north, including Orthodox churches, chapels and monasteries as well as those of other Christian communities. According to Archbishop Chrysostomos II, leader of the Church of Cyprus, over 500 religious sites in the area have been seriously damaged or destroyed. Subsequent to the briefing that Church of Cyprus filed a formal case with the European Court of Human Rights regarding its religious sites and other property in the north. A report prepared by

the Law Library of Congress, "Destruction of Cultural Property in the Northern Part of Cyprus and Violations of International Law" was released at the briefing.

Helsinki Commission staff traveled throughout the region, visiting numerous churches, each in various stages of deterioration, all plundered, stripped of religious objects, including altars, iconostasis and icons. Other sites have been turned into tourist resorts, storage warehouses or other purposes, including stables, shops, and night clubs. Among photos on display at the briefing were those showing the desecrated ruins of graves with all of the crosses broken off of their bases and smashed. A nearby shed was stacked with broken headstones. A number of Jewish cemeteries in the region, according to reports, have likewise been vandalized and left in shambles. Finally, even the rare occasions when Orthodox services that are allowed to be conducted in the north such exceptional events are occasionally marred by security forces preventing worshipers from crossing into the area or the disruption of religious services.

The Commission recently received an update from Dr. Charalampos Chotzakoglou, one of the experts who testified at our 2009 briefing. He reports a number of disturbing developments over the past year, including road construction through a church yard; transport of grave markers robbed from desecrated cemeteries, reportedly to be recycled as scrap metal; the further looting of artifacts from churches; and the known conversion of another church building into a night club. Dr. Chotzakoglou also reports on the continued difficulties in securing permission to conduct religious services at some of the sites in the north.

The events of 1974 have taken a tremendous toll in so many areas, including Cyprus' rich religious cultural heritage. As we mark this 36th anniversary, let us join in the hope that a resolution of the Cyprus question hammered out, by the Cypriots and for the Cypriots, will be found.

Ms. SNOWE. Mr. President, I rise in remembrance of a deeply tragic anniversary for the Cypriot-American community, their friends and relatives in Cyprus, and for people everywhere who believe in timeless values such as liberty and human dignity. Thirty-six years ago today, the armed forces of Turkey invaded Cyprus in flagrant violation of international law, occupied the north of the island state, and put in place a heavily armed force that continues to occupy nearly 37 percent of Cyprus' territory.

There are more than 43,000 Turkish troops on Cyprus—that is approximately one Turkish soldier for every two Turkish Cypriots. Meanwhile, the occupation, expropriation, and destruction of Greek Cypriot-owned property in the north of the island continues unabated. Indeed, thousands of U.S. citizens of Cypriot descent have claims

to such properties. So too continues the egregious desecration of Greek Orthodox churches and sacred religious artifacts that are not only sacred to hundreds of millions of faithful believers but beautiful and historic sites and objects of inherent cultural value to all of humanity.

The international community, speaking through resolution after resolution by the United Nations Security Council and General Assembly, has since 1974 called for an end to the division of Cyprus and the return of refugees to their homes. After 36 frustrating years of diplomatic stops and starts, a cavalcade of U.N. special representatives and envoys, and untold hours of negotiations, the time has come for Turkey to concede that the Cyprus question is one that can only be resolved through mutual agreement on a solution, not the imposition of one. It is essential for Turkey to contribute practically and substantively to the negotiating effort and embrace in concrete terms a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace.

Unfortunately, in a world that has witnessed the collapse of the Berlin Wall and the fall of communism, Cyprus remains as the last divided country in Europe. Yet despite a generation of suffering such injustices, the Greek Cypriot community continues to demonstrate remarkable magnanimity in seeking a fair solution to the division of the island. Cyprus and the U.S. share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. We must, in our solemn role as a nation that champions human rights and adherence to the rule of law, stand with the Cypriots to bring peace and stability to their island.

I therefore urge my colleagues to join me today in bearing witness to the 36 years of injustice wrongfully brought upon the people of the Republic of Cyprus, and in recommitting ourselves to the urgent task of fairly and finally reuniting the island.

#### REQUEST FOR CONSULTATION

Mr. COBURN. I ask unanimous consent to have printed in the RECORD a letter dated July 20, 2010, to Senator MCCONNELL.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
July 20, 2010.

Hon. MITCH MCCONNELL,  
Senate Minority Leader,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding S. 3466, the Environmental Crimes Enforcement Act. My concerns with this bill include, but are not limited to, those outlined in this letter.

Individuals and corporate entities who commit environmental crimes must be held

accountable for their actions. However, while this bill is well-intentioned, I believe current law provides sufficient penalties for environmental wrongdoers, and I am concerned this bill goes too far in increasing enforcement provisions by mandating restitution to victims of environmental crimes.

This bill expands the list of crimes which require mandatory restitution by adding environmental crimes covered by the criminal enforcement provisions of the Clean Water Act. Currently, the list of crimes subject to mandatory restitution is limited to violent crimes, certain offenses against property under the Controlled Substances Act, and crimes relating to tampering with consumer products. No environmental law is listed under the mandatory restitution statute.

It is clear this bill is intended as a response to the current oil spill in the Gulf of Mexico. However, it should be noted there is already a basis for holding BP liable for the Deepwater Horizon oil spill, if it is found to be negligently or willfully responsible—the Oil Pollution Act of 1990. The Oil Pollution Act allows for liability up to all removal costs plus \$75 million, and would eliminate any cap whatsoever if the spill was a result of "gross negligence or willful misconduct" or a "violation of an applicable Federal safety, construction, or operation regulation."

There are also criminal penalties for violations of the Clean Water Act. These penalties, which may be enforced for negligent, knowing, and "knowing endangerment" violations, include up to 3 years in prison and up to \$1 million in fines for each violation. Finally, according to Attorney General Holder, BP may also face civil and criminal action under the Migratory Bird Treaty Act and the Endangered Species Act.

If Congress feels these civil and criminal penalties are insufficient, we should consider increasing them by amending the relevant penalty provisions. Similarly, if Congress believes mandatory restitution should be expanded into areas beyond the limited crimes to which it currently applies, we should address restitution as a whole, rather than singling out certain issues or individual crimes. Legislation expanding victim restitution has been introduced in the past, and if Congress now believes expansion is appropriate it should take the time to consider broad legislation on the topic, rather than a specific, targeted response to a current event.

Furthermore, I believe this bill is overly broad, as it will criminalize ordinary Clean Water Act violations. For example, this bill would create mandatory restitution as a response to: a property owner who constructed feeder ditches and discharged fill without a permit; a mining company that discharged drainage into navigable creeks without a federal permit; and coastal landowners who discharged sand and dirt in their ditching activities without a permit. While these actions are all violations of the Clean Water Act, I do not believe they are intended to be brought under the mandatory restitution statute. Nevertheless, as currently constructed, this bill would indeed expose the violators to mandatory restitution.

I am concerned the changes specified in this legislation may be unnecessary, overly broad, and may contribute to the over-criminalization of federal law. In addition, adding the Clean Water Act to the mandatory restitution statute will create increased liability, additional private rights of action, and increased litigation. Finally, it does not appear this bill is needed in order to prosecute legitimately liable companies for violations of the Clean Water Act. Nevertheless, this bill has been expedited through the legislative process, with no hearings scheduled to explore its need and little time allowed to properly evaluate the consequences of the mandatory restitution provision.